

86th Legislative Session – 2011

Committee: House State Affairs

Monday, February 14, 2011

P - Present
E - Excused
A - Absent

Roll Call

P Lust, Chair
P Cronin, Vice-Chair
P Rausch
P Gosch
P Wick
P Abdallah
P Moser
P Hoffman
P Turbiville
P Hunhoff (Bernie)
P Gibson
P Fargen
P Blake

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Lust, Chair.

MOTION: TO APPROVE THE MINUTES OF FEBRUARY 9, 2011.

Moved by: Gibson
Second by: Turbiville
Action: Prevailed by voice vote.

HB 1116: revise the state aid to education formula and to make an appropriation.

Presented by: Representative Justin Cronin

MOTION: TO TABLE HB 1116

Moved by: Rausch
Second by: Turbiville
Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Lust, Cronin, Rausch, Gosch, Wick, Abdallah, Moser, Hoffman, Turbiville, Hunhoff (Bernie), Gibson, Fargen, Blake

Representative Lust handed the gavel to Representative Cronin, Vice Chair

HB 1110: revise the property tax levies for the general fund of a school district.

MOTION: DO PASS HB 1110

Moved by: Rausch
Second by: Hunhoff (Bernie)
Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Lust, Cronin, Rausch, Gosch, Wick, Abdallah, Moser, Hoffman, Turbiville, Hunhoff (Bernie), Gibson, Fargen, Blake

The gavel was handed back to the Chair.

HB 1204: prohibit businesses and employers from establishing certain policies against the ability of an invitee or employee to store firearms and ammunition in a locked motor vehicle parked on the premises.

Proponents: Representative Lance Russell
Scott Parsons, self, Rapid City
Zach Lautenschlager, South Dakota Gun Owners
Dan Beaman, self, Selby

Opponents: Shawn Lyons, SD Retailers Association
Dianna Miller, SD Network Against Family Violence & Sexual Assault
Yvonne Taylor, SD Municipal League

MOTION: DEFER HB 1204 TO THE 41ST LEGISLATIVE DAY

Moved by: Turbiville
Second by: Hoffman
Action: Prevailed by roll call vote. (12-1-0-0)

Voting Yes: Lust, Cronin, Rausch, Wick, Abdallah, Moser, Hoffman, Turbiville, Hunhoff

(Bernie), Gibson, Fargen, Blake

Voting No: Gosch

HB 1149: allow legal residents of the United States to obtain a concealed pistol permit.

Proponents: Representative Brian Gosch
Representative Stace Nelson
Sam Ellingson, ACLU of SD

Commentator: Marty Jackley, Attorney General's Office

MOTION: AMEND HB 1149

1149fa

On page 2, after line 7 of the printed bill, insert:

" Section 2. That chapter 23-7 be amended by adding thereto a NEW SECTION to read as follows:

Notwithstanding the five day requirement provided in § 23-7-7.1, if the background investigation under § 23-7-7 requires an international criminal history check through INTERPOL, the sheriff shall issue a temporary permit to carry a concealed pistol within three business days of receiving a response from INTERPOL if the applicant otherwise meets the requirements of § 23-7-7.1."

Moved by: Cronin
Second by: Gibson
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1149 AS AMENDED

Moved by: Rausch
Second by: Gosch
Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Lust, Cronin, Rausch, Gosch, Wick, Abdallah, Moser, Hoffman, Turbiville, Hunhoff
(Bernie), Gibson, Fargen, Blake

The gavel was given to Vice Chairman Cronin.

HB 1198: provide for the state and local enforcement of certain federal immigration laws, to criminalize the knowing transportation, concealment, or solicitation of illegal aliens, and to provide penalties therefor.

Proponents: Representative Manny Steele
Rachelle Hartze, self, Rapid City
Representative Stace Nelson
Kitty Werthmann, Eagle Forum
Linda Schauer, Concerned Women For America
Carlene Cross, self, Faulkton
Karen Collins, self, Faulkton
Zach Lautenschlager, SD Tea Party Alliance

Opponents: Mike Levsen, self, Aberdeen (Handout 1)
Sister Janet Horstman, Presentation Sisters, Aberdeen
Sister Lynn Marie Welbig, Presentation Sisters, Aberdeen (Handouts 2 and 3)
Sam Ellingson, ACLU of SD
Thomas Barnett Jr., SD State Bar
Sister Teresa Ann Wolf, self, Watertown
Marlene Schulz, Nat'l. Assoc. Of Social Workers
Staci Eggert, SD Sheriff's Association
Brenda Forman, SD Association of Cooperatives and SD Dairy Producers
Travis Benson, Catholic Diocese Of Sioux Falls
Susan Thompson, SD Peace and Justice Center

MOTION: DEFER HB 1198 TO THE 41ST LEGISLATIVE DAY

Moved by: Hunhoff (Bernie)
Second by: Turbiville
Action: Prevailed by roll call vote. (11-2-0-0)

Voting Yes: Lust, Cronin, Rausch, Abdallah, Moser, Hoffman, Turbiville, Hunhoff (Bernie), Gibson, Fargen, Blake

Voting No: Gosch, Wick

The gavel was given back to Representative Lust, Vice Chair.

HB 1248: repeal the sunset of the one-half percent increase in the gross receipts tax imposed on visitor-related businesses.

Proponents: Jim Hagen, Office of Tourism
Laura Foss, self, Milbank

Nort Johnson, Black Hills, Badlands & Lakes Assn.
Rosie Smith, self, Watertown
Patricia Boyd, South Dakotans for the Arts
Lorin Pankratz, Visitor Industry Alliance
Michele Brich, SD Innkeepers Association
Patricia Miller, SD Heritage Fund
Julie Johnson, Aberdeen Visitor Bureau
Bob O'Connell, Sioux Falls Area Chamber of Commerce

MOTION: AMEND HB 1248

1248fa

On page 1, after line 5 of the printed bill insert:

" Section 2. This Act is effective on June 29, 2011."

Moved by: Gibson
Second by: Blake
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1248 AS AMENDED

Moved by: Gibson
Second by: Gosch
Action: Prevailed by roll call vote. (12-1-0-0)

Voting Yes: Lust, Cronin, Gosch, Wick, Abdallah, Moser, Hoffman, Turbiville, Hunhoff (Bernie),
Gibson, Fargen, Blake

Voting No: Rausch

MOTION: ADJOURN

Moved by: Blake
Second by: Rausch
Action: Prevailed by voice vote.

Grace Curtis
Committee Secretary

David Lust, Chair